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5/5/02**In the United States Patent and Trademark Office**

Applicants: Barry J. Marshall et al. Docket No.: 17127A  
Serial No.: 09/977,546 Group: 1743  
Confirmation No: 3538 Examiner:  
Filed: October 15, 2001  
For: SYSTEMS FOR PERFORMING MULTIPLE DIAGNOSTIC TESTS

**Information Disclosure Statement Pursuant to 37 C.F.R. 1.97(c) (1)  
Before Final Rejection or Notice of Allowance  
Certification Under 37 C.F.R. 1.97(e)(1) - Items Contained In a Search Report**

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.56 and in accordance with 37 C.F.R. 1.97 et seq., Applicants, through and by their attorneys, hereby wish to direct the Examiner's attention to the hereinafter disclosed documents.

By inclusion of any given document in this Information Disclosure Statement, Applicants in no way admit that such document is effective as prior art against the above-identified application under either 35 U.S.C. 102 or 35 U.S.C. 103.

Additionally, submission of any document is not to be taken as an admission of the materiality of the document to the prosecution of the present application.

The Examiner is requested to review each cited document and personally determine its prior art status.

Applicants recommend that the Examiner conduct an independent search for any and all available material prior art and independently review the results of such search and the documents cited within this Statement.

A filled-in modified PTO-1449 form listing all of the documents cited in this Statement and copies of those documents are presented herewith for the Examiner's review and convenience.

In accordance with 37 C.F.R. 1.97(e)(1), the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Applicants request the Examiner, in accordance with 37 C.F.R. 1.97, to indicate and make of record receipt and review of all of these documents by initialing the appropriate box in the accompanying PTO-1449. Applicants request that the undersigned receive a copy of the initialed PTO-1449.

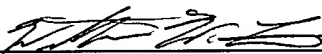
If the Examiner refuses to consider any or all of the herein submitted materials because it is the Examiner's opinion that this Information Disclosure Statement is not in compliance with 37 C.F.R. 1.97, Applicants respectfully request that the Examiner notify the undersigned, in writing, as to the basis of such opinion.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: (770) 587-7183.

Respectfully submitted,

BARRY J. MARSHALL ET AL.

By:   
William W. Letson  
Registration No.: 42,797

#### CERTIFICATE OF MAILING

I, William W. Letson, hereby certify that on April 22, 2003 this document is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

By:   
William W. Letson



## List of Patents and Publications for Information Disclosure Statement

Applicant(s): Barry J. Marshall et al.  
Serial No.: 09/977,546  
Filed: October 15, 2001

Docket 17127A  
Group: 1743  
Examiner:

U.S. PATENT DOCUMENTS								
Initials		Doc. No.	Date	Name	Class	Subclass	Filing Date	
	A1	4,829,006	05/09/1989	Smith et al.				
	A2	5,846,488	12/08/1998	Richardson				
	A3							
	A4							
	A5							
	A6							
Foreign Patent Documents								
Initials		Doc. No.	Date	Country	Class	Subclass	Trans. Yes No	
	A1	WO 01/64543	09/07/2001	PCT				
	A2							
	A3							
Other Documents								
Initials		Author, Title, Date, Pages, etc.						
	A1							
	A2							

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with your next communication.

Examiner:

Date Considered: